

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7, Rio Brazos

Subfile No. CHRB-004-0035

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(a)(1) moves the Court to issue its order substituting Ben R. Cordova and Monica A. Cordova for defendant Esteban D. Martinez in these proceedings, and as grounds Plaintiff states the following:

1. The Consent Order filed May 13, 2005 in Subfile CHRB-004-0035 filed has been vacated by the Order filed September 4, 2008 (Doc. 9279). Ben R. Cordova and Monica A. Cordova have purchased the property under this subfile, and they have signed and approved a new Consent Order in this subfile to be filed with the Court.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting Ben R. Cordova and Monica A. Cordova for defendant Esteban D. Martinez in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General

Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444 phone
(505) 867-7444 facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of January 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Ben R. Cordova
Monica A. Cordova
P.O. Box 59
Los Ojos, NM 87551

/s/ Ed Newville
EDWARD G. NEWVILLE